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MORRISON

FOERSTER

425 MARKET STREET SAN FRANCISCO CALIFORNIA 94105-2482

TELEPHONE: 415.268.7000 FACSIMILE: 415.268.7522

WWW.MOFO.COM

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Attorney Docket No.: 495812004800

Group Art Unit: 2611

Examiner: Not Yet Assigned Application No.: 10/757,855 Filed: January 14, 2004

Title: SUPPLEMENTAL MEMORY HAVING MEDIA DIRECTORY

Inventor: Tod EARHART

Enclosed are the following documents:

- 1. Transmittal, 1 page
- 2. Fee transmittal in duplicate, 2 pages
- 3. Supplemental Notice Of Change Of Status And Payment Of Deficiency Owed Under 37 CFR 1.28(c), 3 pages
- 4. COPIES of Notice Of Change Of Status And Payment Of Deficiency Owed Under 37 CFR 1.28(c) submitted on August 10, 2006, 6 pages

Comments:

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SF-2183201

RECEIVED NO. 432 P. 2

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PTO/SE/21 (09-04)
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TRANSM	ITTAL	Filing Date	January 14, 2004		
FORI	Vī	First Named Inventor	Tod EARHART		
(to be used for all corresponde		Art Unit	2611		
,		Examiner Name	Not Yet Assigned		
Total Number of Pages In This	Submission 12	Attorney Docket Number	er 495812004800		
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Amendment/Reply	Petition		Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)		
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NO. 432 P. 3

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SUBMITTED BY								
Signature	20/	<u> </u>		Registration No. Attorney/Agent)	42,126	Telephone	(415) 26	3-6369
Name (PrintType) Robert E	. Scheid					Date 8	23/06	
							/	
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8300, on the date shown b	{ -	(No V.	U .				
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AUG 2 4 2006

Docket No.: 495812004800

(PATENT)

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Dated: \$ -24-06

ature: (Vicki Henry)

#### IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:

Tod BARHART

Application No.: 10/757,855

Filed: January 14, 2004

Art Unit: 2611

For: SUPPLEMENTAL MEMORY HAVING MEDIA

DIRECTORY

Examiner: Not Yet Assigned

## SUPPLEMENTAL NOTICE OF CHANGE OF STATUS AND PAYMENT OF DEFICIENCY OWED UNDER 37 CFR 1.28(C)

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Dear Sir:

Applicant submitted a Notice of Change of Status and Payment of Deficiency Owed on August 10, 2006, (copy attached) and miscalculated the deficient fees owed to the Patent Office. In the original Notice, Applicant read the United States Patent and Trademark FY 2006 Fee Schedule incorrectly and used \$790.00 as the current base filling fee instead of \$1000.00 as the current base filling fee in its itemization of fees owed. Therefore, Applicant under-calculated the deficient fees owed by \$210.00.

As required under 37 C.F.R. §1.28(c), to correct this oversight and in order for the error in payments to be excused we hereby submit an itemization of the erroneous small entity payment and the differential fee, together with the deficiency payment.

sf-2183198

Application No.: 10/757,855

2

Docket No.: 495812004800

#### Itemization of all erroneous small entity payments and the differential fees:

Type of Fee	Small Entity Fee Paid on 01/14/04	Incorrect Large Entity Fee on Notice Dated 03/10/2006	Large Entity Differential Fee on Notice Dated 08/10/2006	Correct Current Large Entity Fce	Large Entity Differential Fee Currently Due
FILING FEE	\$385.00	\$790.00	\$405.00	1,000.00	210.00
			•		CORRECTED FEE AMOUNT TO BE CHARGED TO DEPOSIT ACCOUNT NO. 03-1952

As shown in the above table, Applicant paid a small-entity filing fee of \$385.00 on January 14, 2004. Then on August 10, 2006, Applicant filed a Notice of Change of Status and Payment of Deficiency Owed and authorized the Commissioner to charge \$405.00, which was an incorrect calculation of the differential fee. Applicant is now filing this Supplemental Notice to authorize an additional charge of \$210.00 in order to correct the differential fee ewed in light of the fact that the correct current filing fee is \$1000.00 (i.e., \$385.00+\$405.00+\$210.00 = \$1,000.00).

Applicant hereby acknowledges the miscalculation as a good faith error and requests and authorizes the Commissioner to charge the differential fee of \$210.00 from our Deposit Account No. 03-1952 (referencing docket no. 495812004800).

Pursuant to 37 C.F.R. § 1.28(c), the calculated deficient "large entity fees" are based upon the amount of the fee in effect at the time the deficiency is paid in full.

In the event the Patent Office determines that an extension and/or other relief is required, Applicant petitions for any required relief including extensions of time and authorizes the Application No.: 10/757,855

3

Docket No.: 495812004800

Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this document to Deposit Account No. 03-1952 (referencing docket no. 495812004800).

Dated:

Respectfully submitted,

Robert E. Scheid

Registration No.: 42,126

MORRISON & FOERSTER LLP

425 Market Street

San Francisco, California 94105-2482

(415) 268-6369

MORRISON

FOERSTER

425 MARKET STREET SAN FRANCISCÓ CALIPORNIA 94105-2482

TELEPHONE: 415.268.7000 FACSIMILE: 415.268.7522

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Attorney Docket No.: 495812004800

Group Art Unit: 2611

Examiner: Not Yet Assigned Application No.: 10/757,855 Filed: January 14, 2004

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Inventor: Tod EARHART

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Change of Correspondence Address    Extension of Time Request   Terminal Discisimer   X Identify below);   Express Abandonment Request   Request for Refund   Notice of Change of Status and Payment of Deficiency Owed under 37 CFR \$1.28(c), 2 pgs.   Certified Copy of Priority   Landscape Table on CD   Reply to Missing Parts/ Incomplete Application   Remarks   Facsimilie cover sheet is the uncounted page in this transmission.   Reply to Missing Parts under   Transmission   Remarks   Facsimilie cover sheet is the uncounted page in this transmission.   Signature   Signature   Customer No. 20872     Printed name   Robert E. Scheid   Reg. No.   42,126     Thereby certify that this correspondence is being facsimile transmitted to the Patent and Trademark Office, facsimile no. (571) 273-8300; on the date shown below.	After Final			Proprietary Information	
Express Abandonment Request    Express Abandonment Request   Request for Refund   Request for Refund   Payment of Deficiency Owed under 37 CFR §1.28(c), 2 pgs.	Affidavits/declaration(s)			Status Letter	
Information Disclosure Statement  CD, Number of CD(s)  Certified Copy of Priority Document(s)  Reply to Missing Parts/ Incomplete Application  Reply to Missing Parts under  SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT  Firm Name  MORRISON & FOERSTER LLP  (Customer No. 20872)  Signature  Printed name  Robert E. Scheid  Date  Reg. No. 42,126	Extension of Time Request	Terminal Disc	daimer		
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3. APPLICATION	N SIZE FEE	-								
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SUBMITTED BY									==	•
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Name (Print/Type)	Robert E. S	cheid	·····		·		Date Q/	(pl = 1)		
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I hereby certify it	hat this correc	pondence i	s beino facelmilo	naneni	ied to the Patent a	nd Teadler	rank Office, facein	ile no <i>(5</i> 74) 9	773.	•
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Dated: ST	10-06		Signature:	<u> </u>	M M	<u>~</u>			Henry)	
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PTO/SB/17 (01-05)
Approved for use through 7/31/2006. OMB 06/31-0032
Perient and Trademark Offices U.S. DEPARTMENT OF COMMERCE

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Fees pursuant to the Consolidated Appropriations Act, 2005 (HJ	2. <b>4</b> 91 <b>8</b> ).			plete if Kr			}
FEE TRANSMITTAL	•	Application Nu		10/757,855			
· F	:	Filing Date		January 14			EIVED
For FY 2006		First Named in Examiner Name		Tod EARH		ENTRAL	AX CENTER
			-	Not Yet Ass	signeo	AUG 2	4 2006
Applicant claims small emity status. See 37 CFR 1.2		Art Unit		2611		AUU Z	7 2000
TOTAL AMOUNT OF PAYMENT (\$) 1085.00	}	Attorney Docket	No.	495812004	800		•
METHOD OF PAYMENT (check all that apply)			····				ŀ
Check Credit Card Money Order	Non	ne Other	(please iden	EE(\$/):			
X Deposit Account Deposit Account Number 03-1952	eposit Acc	count Name:	Mo	mison & Fo	erster LLP		
For the above-identified deposit account, the D	irector is	hereby authoriza	ed to: (che	ok all that app	oly)		
x Charge fee(s) indicated below		Charg	je fee(s) ind	dicated below	r, except for t	he filing fee	
Charge any additional fee(s) or underpaying fee(s) under 37 CFR 1.16 and 1.17	ment of	X Credit	any overp	ayments			
FEE CALCULATION (All the fees below are di	te nbo	n filing or may	be subje	ct to a sur	charge.)		
1. BASIC FILING, SEARCH, AND EXAMINATION FEE	S						
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Application Type Fee (5) Fee (5)	Fec (\$		Fee (\$)	Fee (\$)		aid (\$)	
Utility . 300 150	500	250	200	100			
Design 200 100	100	50	130	65			
Plant 200 100	300	150	160	80			
Reissue 300 150	500	250	600	300			
Provisional · 200 100	0	0 ארבע בעד זכנד זכ	0 7 (70)	0			
2. EXCESS CLAIM FEES		UPLICATI			Fee (\$)	Small Entity Fee (\$)	
<u>Fee Description</u> Each claim over 20 (including Reissues)	POF	R FEE PRO	CESSI	NG	50	25	
Each independent claim over 3 (including Ruissues)					200	100	
Multiple dependent claims		-			360	180	
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8. APPLICATION SIZE FEE						1	
If the specification and drawings exceed 100 sheets or listings under 37 CFR 1.52(e)), the application size	paper (	excluding electric	onically fil	ed sequence	or computer		
sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(	G) and	37 CFR L16(s).	or smani er	uly) tor each	1 BOOLDOESU 2/	' I	
	f each a	iditional 50 or frac (round up to a who			<u>Fee f</u>	Paid (\$)	
4. OTHER FEE(S)		the state of the state of the	de (initiaei)	*	Fees	Paid (\$)	
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SUBMITTED BY			D.4.	<b></b>			•
Signature Signature		Registration No. (Altorney/Agenti	42,126	Telephone	(415) 268	3-6369	
Name (Print/Type) Robert E. Scheid			•	Date Q/	24/2		
					2 11 018		•
I hereby certify that this correspondence is being facsimite	transmit	led to the Patent :	and Tradem	ark Office, far	simile no. (571	273-	
8300, on the date shown below.	[ J.T.	() ( )	•			,	
Dated: 8-10-06 Signature:	VVC.	W.L.	<u>~</u>			ri Henry)	

I hereby certify that this correspondence is being facsimile fransmitted to the Patent and Trademark Office, facsimile no. (571) 273-8300, on the date shown below.

Dated: 8 10-06 Signsture: (Vicki Henry)

COPY

Docket No.: 495812004800

(PATENT)

#### IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:

Tod EARHART

RECEIVED
CENTRAL FAX CENTER

Application No.: 10/757,855

AUG 2 4 2006

Filed: January 14, 2004

Art Unit; 2611

For: SUPPLEMENTAL MEMORY HAVING MEDIA

Examiner: Not Yet Assigned

DIRECTORY

# NOTICE OF CHANGE OF STATUS AND PAYMENT OF DEFICIENCY OWED UNDER 37 CFR 1,28(C)

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Dear Sir:

It has recently come to our attention that a good faith error appears to have been made regarding the entity status of the above-referenced application and that some fee payments appear to have been made in error claiming small entity discount.

As required under 37 C.F.R. §1.28(c), to correct these oversights and in order for the error in payments to be excused we hereby submit an itemization of all erroneous small entity payments and the differential fees, together with the deficiency payment.

Application No.: 10/757,855



Docket No.: 495812004800

#### Itemization of all erroneous small entity payments and the differential fees:

Type of Fee	DATE PAID	SMALL ENTITY FEE PAID	CURRENT FEE AMOUNT	LARGE ENTITY DIFFERENTIAL FEE
FILING FEE	1/14/04	\$385.00	\$790.00	\$405.00
15 EXTRA CLAIMS	1/14/04	\$135.00	\$750.00	\$615.00
LATE OATH OR DECLARATION FEE	6/9/04	\$65.00	\$130.00	\$65.00
TOTALS		\$585.00 (TOTAL FEES PREVIOUSLY PAID)	\$1,670.00 (CURRENT FEE AMOUNT)	\$1085.00 (CORRECTED FEE AMOUNT TO BE CHARGED TO DEPOSIT ACCOUNT NO. 03-1952)

Based upon the above, Applicant believes the differential between the small entity fees previously paid and the large entity fees now owing should total \$1085.00. Applicant requests this differential fee be paid from our Deposit Account No. 03-1952. Pursuant to 37 C.F.R. § 1.28(c), the calculated deficient "large entity fees" are based upon the amount of the fee in effect at the time the deficiency is paid in full.

In the event the Patent Office determines that an extension and/or other relief is required, Applicant petitions for any required relief including extensions of time and authorizes the Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this document to Deposit Account No. 03-1952 referencing docket no. 495812004800.

Dated

Respectfully submitted,

Robert E. Scheid

Registration No.: 42,126

MORRISON & FOERSTER LLP

425 Market Street

San Francisco, California 94105-2482

(415) 268-6369

sf-2150925

### DUPLICATE COPY FOR FEE PROCESSING

Under the Peperwork Reduction Act of 1995, no person are required to	Ap U.S. Patent end Trade	proved for use through 7/31/2008, mark Office: U.S. DEPARTMENT	O/86/17 (01-06) OMB 0601-0032 OF COMMERCE
Fees pursuant to the Consolidated Appropriations Act, 2005 (1.R. 4818).		mplete if Known	senesi (ginee),
	Application Number	10/757,855	
FEE TRANSMITTAL	Filing Date	January 14, 2004	RECEIVED
For FY 2006	First Named Inventor	Tod EARHART	CENTRA FAX CENTER
	Examiner Name	Not Yet Assigned	
Applicant claims small entity status. See 37 CFR 1.27	Art Unit	2611	- AUG 2 4 2006
TOTAL AMOUNT OF PAYMENT (\$) 210.00	Attorney Docket No.	495812004800	
METHOD OF PAYMENT (check all that apply)		•	
Check Credit Card Moncy Order No	one Other (please ide	ntify):	
X Deposit Account Deposit Account Number: 03-1952 Deposit Ac	count Name: M	omison & Foerster LLP	
For the above-identified deposit account, the Director is	s hereby authorized to: (ch	eck all that apply)	]
x Charge fee(s) indicated below	Charge fee(s) (s	ndicated below, except for t	he filing fee
x Charge any additional fee(s) or underpayment of fee(s) under 37 CFR 1.16 and 1.17	Credit any over	payments	
FEE CALCULATION (All the fees below are due upo	n filing or may be subj	ect to a surcharge.)	<del> </del>
1. BASIC FILING. SEARCH, AND EXAMINATION FEES		·	
FILING FEES SE	ARCH FEES EXAMI	NATION FEES Small Entity	
Application Type Fee (5) Fee (5) Fee (5)	Fee (\$) Fee (\$'		Paid (\$)
Utility 300 150 500		100	
Design		65 80	<del></del>
Reissue 300 150 500		300	
Provisional 200 100 0		0	
2. EXCESS CLAIM FEES	-		Small Entity
Fee Description		Fee (\$)	Fee (\$)
Each claim over 20 (including Reissues)  Each independent claim over 3 (including Reissues)		50	25
Multiple dependent claims		200 360	100
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3. APPLICATION SIZE FEE  If the specification and drawings exceed 100 sheets of paper	(aveluding placemainelly i	The common or community	İ
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sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and	. ''	a adad-	B-14/M
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4. OTHER FEE(S)	. (		Paid (\$)
Non-English Specification, \$130 fee (no small entity disc	- '7		
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SUBMITTED BY	Registration No.		
Skynature	Registration No. 42,126	<del></del>	8-6369
Name (Print/Type) Robert E. Scheid		Data 8/23/05	
1 hereby certify that this correspondence is being facsimile transm	hilted to the Patent and Trade	mark Office faccimile on 157	1) 279
8800, on the date shown below.	) ( )	man vince, idealine no. (3)	,,,,,,,
Dated: 8-24-06 Signature: UCO	m. Men	(Mo	ki Henry)

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